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Attorneys for Plaintiff, ROBERTO RUIZ

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

\*E-FILED - 1/18/07\*

ROBERTO RUIZ,

Plaintiff,

vs.

ATLANTIC MUTUAL INSURANCE  
COMPANY, a New York corporation,

Defendant.

CASE NO.: 5:06-CV-04534 RMW

**AMENDED STIPULATION AND  
~~PROPOSED~~ ORDER CHANGING  
TIME RE BRIEFING SCHEDULE AND  
UNDISPUTED FACTS ON MOTION  
FOR SUMMARY JUDGMENT**

**[LR 6-2; 56-2]**

**STIPULATION**

This Amended Stipulation is submitted pursuant to Local Rule 6-2. This Stipulation changes the original request filed by the parties on December 7, 2006 (Dkt. #12) and the Minute Order filed December 7, 2006 (Dkt #13).

The parties request additional time to file the motion for summary judgment because they wish to have the motion submitted with verified amounts at dispute. Plaintiff is currently investigating the total amounts received to date relating to plaintiff's injuries.

1 The parties hereby stipulate that the amended briefing schedule for the filing of the  
2 Motion for Summary Judgment be:

- 3 1. Plaintiff's motion due January 29, 2007;
- 4 2. Defendant's opposition due February 12, 2007;
- 5 3. Plaintiff's reply due February 19, 2007;
- 6 4. Defendant's sur-reply due February 26, 2007; and  
March 9, 2007 @ 9:00 a.m.
- 7 5. Hearing date ~~March 8, 2007 at 9:00 a.m.~~

8 This stipulation may be executed in counter part.

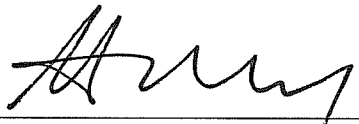
9 Pursuant to Local Rule 56-2, the parties further request that the Court permit the  
10 parties to submit a joint statement of undisputed facts on or before January 29, 2007.

11 There has been one previous time modification in this case (Dkt. #12, 13). The requested  
12 modifications would have no effect on the schedule of the case.

13  
14  
15 DATED: January 5, 2007

\_\_\_\_\_  
STEVEN R. CAVALLI, ESQ.  
*Attorneys for Plaintiff,*  
ROBERTO RUIZ

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20 DATED: January 5, 2007

  
\_\_\_\_\_  
MARK E. INBODY, ESQ.  
*Attorneys for Defendant,*  
ATLANTIC MUTUAL INSURANCE  
COMPANY

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2 Motion for Summary Judgment be:

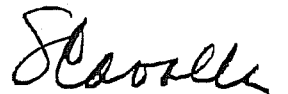
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Attorneys for Plaintiff,  
ROBERTO RUIZ

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MARK E. INBODY, ESQ.  
Attorneys for Defendant,  
ATLANTIC MUTUAL INSURANCE  
COMPANY

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Based on the foregoing stipulation, the Court hereby enters the following **ORDER**:

1. The briefing schedule for the Motion for Summary Judgment shall be:

1. Plaintiff's motion due January 29, 2007;
2. Defendant's opposition due February 12, 2007;
3. Plaintiff's reply due February 19, 2007;
4. Defendant's sur-reply due February 26, 2007; and  
March 9, 2007 @ 9:00 a.m.
5. Hearing date ~~March 5, 2007 at 9:00 a.m.~~

2. The parties are to submit a joint statement of undisputed facts on or before January 29, 2007.

PURSUANT TO STIPULATION, IT IS SO ORDERED this 18 day of January, 2007.

  
DISTRICT COURT JUDGE

Doc. #36803

(Code of Civil Procedure §§ 1010.6 & 2015.5, California Rules of Court, Rule 2060)

On January 05, 2007, I served the attached:

on the persons named below in said cause, by transmitting a true copy thereof via electronic file transfer to Lexis/Nexis File & Serve for service on all parties in this case pursuant to applicable statutes, local rules and/or order of this Court.

Mr. Steven R. Cavalli  
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Brewer  
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Oakland, CA 94612-3528  
Telephone: (510) 832-5411  
Facsimile: (510) 832-1918  
E-Mail: [scavalli@giccb.com](mailto:scavalli@giccb.com)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed at Oakland, California, on January 05, 2007.

  
KATHRYN SHAHIN